APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/817,801	03/26/2001	Michael J. Novak	MS1-787US	8360

				EXAMINER
22801	7590	08/16/2004		SHIN, KYUNG H

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ART UNIT	PAPER NUMBER
2143	

DATE MAILED: 08/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/817,801	NOVAK ET AL.
	Examiner	Art Unit	
	Kyung H Shin	2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
 Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _26 March 2001_.
2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-68_ is/are pending in the application.
   4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) _1-68_ is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on _26 March 2001_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.
   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a)☐ All   b)☐ Some * c)☐ None of:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____.
      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)
1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _7/31/03, 3/29/04_.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This action is responding to application papers dated 3/26/2001.

2. Claims **1-68** are pending. Claims **1, 8, 9, 12, 19, 25, 28, 31, 32, 39, 45, 50, 51, 55, 56, 61, 63, 66** and **68** are **independent**.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4.   **Claims 1-4, 8-10, 12, 15-19, 21-26, 28-33, 35-40, 42, 44-47, 49-68** are rejected under 35 U.S.C. 102(e) as being unpatentable over Dwek (US Patent No. 6,248,946: Multimedia content delivery system and method, Filed 3/1/2000)

Regarding claim 1, Dwek discloses a method of providing a user experience when playing media on a media player comprising:

a) downloading a file that contains at least one media-specific file configured to provide a user interface, and media content with which the user interface is associated; (see col. 5, lines 21-24)

b) playing the media content with a media player; (see col. 5, lines 25-33)

c) automatically displaying the user interface when the media content is played with

the media player. (see col. 5, lines 34-40)

Regarding claim 2, Dwek discloses the method of claim 1, wherein said automatically

displaying comprises displaying the user interface as part of the media player. (see col.

5, line 63 - col. 6, line 6)

Regarding claim 3, Dwek discloses the method of claim 1, wherein said automatically

displaying comprises displaying the user interface to comprise the media player. (see

col. 5, lines 34-40; col. 5, line 63 - col. 6, line 6)

Regarding claim 4, Dwek discloses he method of claim 1, wherein said at least one

media-specific file comprises multiple files including a definition file that defines how

other associated files are to be used, and art files containing images that are associated

with the user interface. (see col. 8, lines 34-40)

Regarding claim 8, Dwek discloses one or more computer-readable media having

computer readable instructions thereon which, when executed by a computer, cause the

computer to:

a) download a file that contains at least one media-specific file configured to provide a user interface, and song files with which the user interface is associated; (see col. 5, lines 21-24)

b) play the song files with a media player; (see col. 5, lines 25-33)

c) automatically display the user interface when the song files are played with the media player. (see col. 5, lines 34-40)

Regarding claim 9, Dwek discloses a media player comprising software code that is configured to:

a) download a file that contains at least one media-specific file configured to provide a user interface, and media content with which the user interface is associated; (see col. 5, lines 21-24)

b) play the media content; (see col. 5, lines 25-33)

c) automatically display the user interface on at least a portion of a media player user interface when the media content is played with the media player. (see col. 5, lines 34-40; col. 5, line 63 - col. 6, line 6)

Regarding claim 10, Dwek discloses the media player of claim 9, wherein the software code is configured to automatically display the user interface to comprise the entire media player user interface. (see col. 5, lines 34-40; col. 5, line 63 - col. 6, line 6)

Regarding claim 12, Dwek discloses a method of organizing media content comprising:

a) providing at least one media-specific file that is configured to provide a user

interface on at least a portion of a media player; (see col. 5, lines 21-24)

b) providing at least one media content file configured for play on the media

player; (see col. 5, lines 25-33)

c) associating the one media-specific file with the one media content file such

that any time the one media content file is played on the media player, the one

media-specific file is processed to automatically display the user interface on at l

east a portion of the media player. (see col. 5, lines 34-40; col. 5, line 63 - col. 6,

line 6)

Regarding claim 15, Dwek discloses the method of claim 12, wherein the one media

content file comprises at least one song file. (see col. 5, lines 21-24)

Regarding claim 16, Dwek discloses the method of claim 12, wherein the one media

content file comprises multiple song files. (see col. 7, lines 17-20)

Regarding claim 17, Dwek discloses the method of claim 12, wherein said associating

comprises packaging the one media-specific file and the one media content file in a

single downloadable file. (see col. 5, lines 21-24; col. 15, lines 14-18)

Regarding claim 18, Dwek discloses one or more computer-readable media having

computer-readable instructions thereon which, when executed by a computer,

implement the method of claim 12. Referring to claim 18, claim 18 encompasses the same scope of the invention as that of the claim 12. Therefore, claim 18 is rejected for the same reason as the claim 12.

Regarding claims 19, Dwek discloses a method of organizing media content comprising:

a) providing at least one media-specific file that is configured to provide a media player user interface; (see col. 5, lines 21-24)

b) providing at least one media content file configured for play on a media player; (see col. 5, lines 25-33)

c) associating the one media-specific file with the one media content file such that any time the one media content file is played on the media player, the one media-specific file is processed to automatically display the media player user interface. (see col. 5, lines 34-40; col. 5, line 63 - col. 6, line 6)

Regarding claim 21, Dwek discloses the method of claim 19, wherein the one media content file comprises at least one song file. (see col. 5, lines 21-24)

Regarding claim 22, Dwek discloses the method of claim 191, wherein the one media content file comprises multiple song files. (see col. 7, lines 17-20)

Regarding claim 23, Dwek discloses the method of claim 19, wherein said associating

comprises packaging the one media-specific file anal the one media content file in a

single downloadable file. (see col. 5, lines 21-24; col. 15, lines 14-18)

Regarding claim 24, Dwek discloses one or more computer-readable media having

computer-readable instructions thereon which, when executed by a computer,

implement the method of claim 19. Referring to claim 24 claim 24 encompasses the

same scope of the invention as that of the claim 19. Therefore, claim 24 is rejected for

the same reason as the claim 19.

Regarding claim 25, Dwek discloses a method of organizing content for a user

experience comprising:

   a) providing multiple different files that define different aspects of a media player

   user interface, at least some files being associated with media content and at

   least some other files being associated with visual content; (see col. 5, lines 34-

   40; col. 5, line 63 - col. 6, line 6)

   b) organizing the files for sending over a network to a client computer, said

   organizing using a hierarchical tag-based structure to establish a relationship

   between the files such that when the media content is played by a media player,

   the visual content is automatically displayed as at least part of the media player

   user interface. (see col. 15, lines 14-18)

Regarding claim 26, Dwek discloses the method of claim 25, wherein when the media

content is played by a media player, the visual content is automatically displayed to

comprise an entire media player user interface. (see col. 5, lines 34-40; col. 5, line 63 -

col. 6, line 6)

Regarding claim 28, Dwek discloses a method of accessing media content comprising:

    a) displaying a link to media content; (see col. 6, lines 53-62)

    b) responsive to a user clicking on the link, automatically downloading a file that

contains at least one media content file and at least one file that is configured to

provide at least a portion of a media player user interface that is specific to media

content associated with the one media content file; (see col. 5, lines 21-24)

    c) playing the media content on a media player; (see col. 5, lines 25-33)

    d) responsive to said playing, automatically displaying said portion of the media

player user interface. (see col. 5, lines 34-40; col. 5, line 63 - col. 6, line 6)

Regarding claim 29, Dwek discloses the method of claim 28, wherein said portion

comprises an entire media player user interface. (see col. 5, lines 34-40; col. 5, line 63 -

col. 6, line 6)

Regarding claim 30, Dwek discloses the method of claim 28, wherein said automatically

displaying comprises automatically flipping from a non-media player user interface to a

media player user interface. (see col. 15, lines 14-18)

Regarding claim 31, Dwek discloses one or more computer-readable media having

computer readable instructions thereon which, when executed by a computer, cause the

computer to:

a) display a link to media content; (see col. 6, lines 53-62)

b) responsive to a user clicking on the link, automatically download a file that

contains at least one media content file and at least one file that is configured to

provide at least a portion of a media player user interface that is specific to media

content associated with the one media content file; (see col. 5, lines 21-24)

c) play the media content on a media player; and

responsive to playing the media content, automatically display said portion of the

media player user interface. (see col. 5, lines 25-33)

Regarding claim 32, Dwek discloses a media delivery mechanism comprising: a single

file comprising:

a) one or more media content files associated with content that can be played on

a media player; (see col.15, lines14-18)

b) one or more content-specific files that can be processed to provide a

content-specific user interface associated with content that is played on the

media player; (see col. 7, lines 3-20)

c) a relationship between. the one or more media content files and the one or

more content-specific files such that a content-specific user interface is displayed

on a computer when the content associated with the one or more media content files is played on the media player. (see col. 15, lines 14-18) context related to media

Regarding claim 33, Dwek discloses the media delivery mechanism of claim 32, wherein said relationship is established by a metafile that comprises part of the single file. (see col. 8, lines 34-40) metadata information (data related to media)

Regarding claim 35, Dwek discloses the media delivery mechanism of claim 32, wherein the contentspecific user interface comprises only a portion of a media player user interface. (see col. 5, lines 34-40; col. 5, line 63 - col. 6, line 6)

Regarding claim 36, Dwek discloses the media delivery mechanism of claim 32, wherein the contentspecific user interface comprises an entire media player user interface. (see col. 5, lines 34-40; col. 5, line 63 - col. 6, line 6)

Regarding claim 37, Dwek discloses the media delivery mechanism of claim 32, wherein the relationship causes the same content-specific user interface to be displayed for multiple media content files. (see col. 5, lines 34-40; col. 5, line 63 - col. 6, line 6)

Regarding claim 38, Dwek discloses the media delivery mechanism of claim 32,

wherein said one or more media content files comprise song files. (see col. 5, lines 21-

24)

Regarding claim 39, Dwek discloses a method of providing a media delivery mechanism

comprising:

    a) providing one or more media-specific files, the files being configured to

provide at least a portion of a media player user interface, said portion being

associated with specific media that can be played on a media player; (see col. 5,

lines 21-24)

    b) providing one or more media content files associated with media that can be

played on a media player embodying the media player user interface, said media

content files comprising the specific media with which the media player user

interface portion is associated; (see col. 5, lines 25-33)

    c) defining one or more metafiles that associate the one or more mediaspecific

files with the one or more media. content files, the one or more metafiles being

configured for processing such that when the media player plays media

associated with a media content file, the media player automatically renders the

media player user interface portion. (see col. 5, lines 34-40; col. 5, line 63 - col.

6, line 6; see col. 15, lines 14-18)

Regarding claim 40, Dwek discloses the method of claim 39 further comprising

associating the one or more media-specific files, the one or more media content files,

and the one or more metafiles in a single downloadable file. (see col. 5, lines 21-24; col.

7, lines 17-20)

Regarding claim 42, Dwek discloses the method of claim 40 further comprising

uploading the single downloadable file to a Web site. (see col. 5, lines 21-24; col. 7,

lines 17-20)

Regarding claim 44, Dwek discloses the method of claim 40, wherein said providing of

the one or more media-specific files comprises providing one or more media-specific

files that are configured to provide an entire media player user interface. (see col. 5,

lines 34-40; col. 5, line 63 - col. 6, line 6)

Regarding claim 45, Dwek discloses a method of providing media content over a

network comprising: receiving input requesting that a file be sent to a client computer,

the file comprising:

  a) one or more media content files associated with content that can be played on

  a media player on the client computer, (see col. 5, lines 21-24)

  b) one or more media-specific files that can be processed to provide a

  content-specific user interface, (see col. 5, lines 25-33)

c) one or more metafiles that establish a relationship between the one or more

media content files and the one or more media specific files such that a

content-specific user interface is displayed when the content is played on the

media player; and sending the requested file to the client computer. (see col. 5,

lines 34-40; col. 5, line 63 - col. 6, line 6; see col. 15, lines 14-18)

Regarding claim 46, Dwek discloses the method of claim 45, wherein the

content-specific user interface comprises only a portion of a media player user interface.

(see col. 5, lines 34-40; col. 5, line 63 - col. 6, line 6)

Regarding claim 47, Dwek discloses the method of claim 45, wherein the

content-specific user interface comprises an entire media player user interface. (see col.

5, lines 34-40; col. 5, line 63 - col. 6, line 6)

Regarding claim 49, Dwek discloses the method of claim 45, wherein the media content

files comprise at least one song file. (see col. 5, lines 21-24)

Regarding claim 50, Dwek discloses a server computer comprising:

at least one computer-readable media; and

computer-readable instructions resident on the computer-readable media which,

when executed by the server, cause the server to:

maintain multiple files, each file comprising:

one or more media content files associated with content that can be played on a

media player on the client computer, (see col. 5, lines 25-33)

one or more media-specific files that can be processed to provide a

content-specific user interface,

one or more metafiles that establish a relationship between the one or more

media content files and the one or more media specific files such that a

content-specific user interface is displayed when the content is played on the

media player; (see col. 5, lines 34-40; col. 5, line 63 - col. 6, line 6; col. 15, lines

14-18)

receive input requesting that one or more of the multiple files be sent to a client

computer; and send the one or more requested files to the client computer. (see

col. 5, lines 21-24)

Regarding claim 51, Dwek discloses a method for playing media. content on a media

player comprising: receiving a file with a client computer, the file comprising:

one or more media content files associated with content that can be rendered on

a media player on the client computer,

at least one media-specific file that can be processed to provide a

content-specific user interface, and at least one metafile that establishes a

relationship between the media content files and the media-specific files such

that a content-specific user interface is provided when the content associated

with the content files is played on the media player; (see col. 5, lines 21-24)

playing content associated with the content files on the media player embodied

on the client computer; (see col. 5, lines 25-33)

while playing the content on the media player, displaying the contentspecific user

interface. (see col. 5, lines 34-40; col. 5, line 63 - col. 6, line 6; col. 15, lines 14-

18)

Regarding claim 52, Dwek discloses the method of claim 51, wherein the

content-specific user interface comprises only a portion of a media player user interface.

(see col. 5, lines 34-40; col. 5, line 63 - col. 6, line 6)

Regarding claim 53, Dwek discloses the method of claim 51, wherein the

content-specific user interface comprises an entire media player user interface. (see col.

5, lines 34-40; col. 5, line 63 - col. 6, line 6)

Regarding claim 54, Dwek discloses one or more computer-readable media having

computer-readable instructions thereon which, when executed by a computer, cause

the computer to implement the method of claim 51. Referring to claim 54, claim 54

encompasses the same scope of the invention as that of the claim 51.   Therefore, claim

54 is rejected for the same reason as the claim 51.

Regarding claim 55, Dwek discloses a media player comprising software code that is

configured to: receive a file with a client computer, the file comprising:

one or more media content files associated with content that can be rendered on

the media player,

at least one media-specific file that can be processed to provide a

content-specific user interface, and

at least one metafile that establishes a relationship between the media content

files and the media-specific files such that a content-specific user interface is

provided when the content associated with the content files is played on the

media player;

play content associated with the content files; and

while playing the content, display the content-specific user interface.

Referring to claim 55, claim 55 encompasses the same scope of the invention as

that of the claim 51. Therefore, claim 55 is rejected for the same reason as the claim 51.

Regarding claim 56, Dwek discloses a method for processing media content

comprising: receiving a file with a client computer, the file comprising:

one or more media content files associated with content that can be rendered on

a media player on the client computer, (see col. 5, lines 25-33)

at least one media-specific file that can be processed to provide a

content-specific user interface, and

at least one metafile that establishes a relationship between the media content

files and the media-specific files such that a content-specific

user interface is provided when the content associated with the content files. is

played on the media player; (see col. 15, lines 14-18)

automatically organizing the received files in one or more directories on a client

computer hard drive without any intervention from a user, the files being

organized in a manner that permits audio and visual content to be played on a

media player without any intervention from the user. (see col. 7, lines 13-20)

Regarding claim 57, Dwek discloses the method of claim 56 further comprising

automatically playing audio content on the media player, and while playing said audio

content and responsive thereto, automatically displaying the content-specific user

interface. (see col. 15, lines 14-18)

Regarding claim 58, Dwek discloses the method of claim 56 further comprising

automatically playing audio content on the media player, and. while playing said audio

content and responsive thereto, automatically displaying the content- specific user

interface to comprise only a portion of a media player user interface associated with the

media player. (see col. 5, line 63 - col. 6, line 6; col. 15, lines 14-18)

Regarding claim 59, Dwek discloses the method of claim 56 further comprising

automatically playing audio content on the media player, and'. while playing said audio

content and responsive thereto, automatically displaying the content-specific user

interface to comprise an entire media player user interface associated with the media player. (see col. 5, line 63 - col. 6, line 6; col. 15, lines 14-18)

Regarding claim 60, Dwek discloses one or more computer-readable media having computer-readable instructions thereon which, when executed by a computer, cause the computer to implement the method of claim 56. Referring to claim 60, claim 60 encompasses the same scope of the invention as that of the claim 56.   Therefore, claim 60 is rejected for the same reason as the claim 56.

Regarding claim 61, Dwek discloses a media player comprising software code configured to cause the media player to: receive a file, the file comprising:

one or more media content files associated with content that can be rendered on the media player, at least one media-specific:

file that can be processed to provide a content-specific user interface, and at least one metafile that establishes a relationship between the media content files and the media-specific files such that a content-specific user interface is provided when the content associated with the content files is played on the media player; and

automatically organize the received files in one or more directories on a client computer hard drive without any intervention from a user, the files being organized in a manner that permits audio and visual content to be played on the media player without any intervention from the user.

Referring to claim 61, claim 61 encompasses the same scope of the invention as that of the claim 56.   Therefore, claim 61 is rejected for the same reason as the claim 56.

Regarding claim 62, Dwek discloses the media player of claim 61, wherein the .software code further causes the media player to automatically play audio content, and while playing said audio content and responsive thereto, automatically display the content-specific user interface. (see col. 5, line 63 - col. 6, line 6; col. 15, lines 14-18)

Regarding claim 63, Dwek discloses a method of playing media content comprising: receiving a file with a client computer, the file comprising:

one or more media content files associated with content that can be played on a media player on the client computer,

at least one media-specific file that can be processed to provide a content-specific user interface, and

at least one metafile that establishes a relationship between the media content files and the media-specific files such that a content-specific user interface is provided when the content associated with the content files is played on the media player; and

automatically playing content associated with the one or more media content files using a media player embodied on the client computer; and while playing said content, automatically displaying the content-specific user interface.

Referring to claim 63, claim 63 encompasses the same scope of the invention as that of the claim 56.   Therefore, claim 63 is rejected for the same reason as the claim 56.

Regarding claim 64, Dwek discloses the method of claim 63, wherein said displaying comprises doing so without any intervention from a user. (see col. 6, lines 63-66)

Regarding claim 65, Dwek discloses a media player comprising software code which, when executed by a computer, causes the media player to implement the method of claim 63. Referring to claim 65, claim 65 encompasses the same scope of the invention as that of the claim 63.   Therefore, claim 65 is rejected for the same reason as the claim 63.

Regarding claim 66, Dwek discloses a method for playing media content comprising:

receiving a user input; responsive to the user input and without any additional

user intervention, automatically:

downloading, on a client computer, multiple files associated with media content;

(see col. 5, lines 21-24)

organizing the multiple files on a hard drive of the client computer; playing media

associated with at least some of the files using a media player embodied on the

client computer; (see col. 5, lines 25-33)

rendering at least a portion of the media player to include visual content that is

specific to the playing media and associated with at least some of the files that

were downloaded. (see col. 15, lines 14-18)

Regarding claim 67, Dwek discloses the method of claim 66, wherein said rendering

comprises rendering the entire media player to include the visual content. (see col. 5,

line 63 - col. 6, line 6; col. 15, lines 14-18)

Regarding claim 68, Dwek discloses a media player comprising software configured to:

receive an input; responsive to the input and without any user intervention,

automatically:

> download, on a client computer, multiple files associated with media content;
>
> (see col. 7, lines 13-20)
>
> play media associated with at least some of the files using a media player
>
> embodied on the client computer; (see col. 5, lines 21-24) and
>
> render at least a portion of the media player to include visual content that is
>
> specific to the playing media and associated with at least some of the files that
>
> were downloaded. (see col. 15, lines 14-18)

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6.   Claims 5, 6, 14, 20, 27, 34, 43, 48, are rejected under 35 U.S.C. 103(a) as being unpatentable over Dwek (US Patent No. 6,248,946) in view of van Zoest (US Patent No. 6,248,946: Multimedia content delivery system and method)

Dwek discloses a media playback system using network communications for the download of media content for playback and display. (see Dwek col. 5, lines 25-33) Dwek does not disclose using script technology to manage media processing within an Internet browser. However, Van Zoest discloses: Regarding claim 5, the method of claim 4, wherein said at least one media-specific file comprises least one script file for scripting. (see van Zoest col. 4, lines 33-39: *"In a preferred embodiment, the retailer API communicates with the User Interface Server 120 or the Verification Server 141 via HTTP."* Scripting languages such as Perl are used to build API interfaces for processing software.)

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Dwek with script file as taught in van Zoest. One would have been motivated to adapt the script file in van Zoest in order to achieve the extended capabilities of Internet based browsing. (see van Zoest col. 3, lines 48-50: *"HTTP is the set of rules for exchanging files (text, graphic images, sound, video and other multimedia files) on the Internet."*)

Regarding claim 6, Van Zoest discloses the method of claim 4, wherein said at least

one media-specific file comprises least one script file that provides a capability for the

user interface to respond to events. (see van Zoest col. 4, lines 33-39) Referring to

claim 6, claim 6 encompasses the same scope of the invention as that of the claim 5.

Therefore, claim 6 is rejected for the same reason and motivation as the claim 5.

Dwek discloses a media playback system using network communications for the

download of media content for playback and display. (see Dwek col. 5, lines 25-33)

Dwek does not disclose the usage of the XML language for the playback and display of

media content on a client browser. However, **Van Zoest** discloses the usage of XML

language for the playback and display of media content on a client browser.

Regarding claim 14, the method of claim 12, wherein said associating comprises

establishing a relationship between the one media-specific file and the one media

content file using an XML data structure. (see van Zoest col. 5, lines 1-6)

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to modify Dwek with the usage of XML as taught in van Zoest. One

would have been motivated to employ the XML in van Zoest in order to achieve the

extended capabilities of Internet based browsing. (see van Zoest col. 3, lines 45-55:

"HTML is the set of symbols or codes inserted in a file intended for display on an

Internet browser. The markup tells the web browser how to display a web page's words

and images for the user. HTTP is the set of rules for exchanging files (text, graphic

images, sound, video and other multimedia files) on the Internet. ... where a client

machine requests data from a server machine, the server issues the data, and the client

machine or "client browser" displays the data.") XML is an Extensible Markup

Language based on the HTML language and extends the capabilities of the HTML

language.

Regarding claim 20, Van Zoest discloses the method of claim 19, wherein said

associating comprises establishing a relationship between the one media-specific file

and the one media content file using an XML data structure. (see van Zoest col. 5, lines

1-6) Referring to claim 20, claim 20 encompasses the same scope of the invention as

that of the claim 14. Therefore, claim 20 is rejected for the same reason and motivation

as the claim 14.

Regarding claim 27, Van Zoest discloses the method of claim 25, wherein said

organizing comprises using a hierarchical tag-based structure comprising an XML data

structure. (see van Zoest col. 5, lines 1-6) Referring to claim 27, claim 27 encompasses

the same scope of the invention as that of the claim 14. Therefore, claim 27 is rejected

for the same reason and motivation as the claim 14.

Regarding claim 34, Van Zoest discloses the media delivery mechanism of claim 33,

wherein said metafile comprises an XML data structure that establishes said

relationship. (see van Zoest col. 5, lines 1-6) Referring to claim 34, claim 34

encompasses the same scope of the invention as that of the claim 14. Therefore, claim 34 is rejected for the same reason and motivation as the claim 14.

Regarding claim 43, Van Zoest discloses the method of claim 40, wherein said one or more. metafiles associate said files using an XML data structure. (see van Zoest col. 5, lines 1-6) Referring to claim 43, claim 43 encompasses the same scope of the invention as that of the claim 14. Therefore, claim 43 is rejected for the same reason and motivation as the claim 14.

Regarding claim 48, Van Zoest discloses the method of claim 45, wherein the one or more metafiles comprise at least one XML data structure that establishes said relationship. (see van Zoest col. 5, lines 1-6) Referring to claim 48, claim 48 encompasses the same scope of the invention as that of the claim 14. Therefore, claim 48 is rejected for the same reason and motivation as the claim 14.

7.   **Claims 7, 11, 13, 41** are rejected under 35 U.S.C. 103(a) as being unpatentable over Dwek (US Patent No. 6,248,946) in view of England (US Patent No. 6,330,670 B1).

Dwek discloses a media playback system using network communications for the download of media content for playback and display. (see Dwek col. 5, lines 25-33) Dwek does not disclose using digital rights management technology to manage accessing media. However, England discloses:

Regarding claim 7, the method of claim 1 further comprising prior to said playing, using

a digital rights management technique to access one or more of the downloaded file,

media-specific file, and media content. (see England col. 4, lines 30-34)

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to modify Dwek with digital rights management technology as

taught in England. One would have been motivated to combine England with Dwek to

achieve the extended capabilities to protect the security of media content . (see

England col. 2, lines 11-17: *"Content providers and the computer industry must quickly*

provide technologies and protocols for ensuring that digital content is properly handled

in accordance with the rights granted by the publisher. If measures are not taken,

traditional content providers may be put out of business by widespread theft, or, more

likely, will refuse altogether to deliver content online." ; col. 3, lines 57-61: *"Therefore,*

there is a need in the art for a digital rights management operating system that protects

the rights of the content provider while operating on a general-purpose personal

computer without requiring additional hardware directed at securing downloaded

content.")

Regarding claim 11, England discloses the media player of claim 9, wherein the

software code is configured to use a digital rights management technique to access one

or more of the downloaded file, media-specific file, and media content prior to playing

the media content. (see England col. 4, lines 30-34) Referring to claim 11, claim 11

encompasses the same scope of the invention as that of the claim 7. Therefore, claim

11 is rejected for the same reason and motivation as the claim 7.

Regarding claim 13, England discloses the method of claim 12 further comprising

protecting at least one of the media-specific file and the media content file using a digital

rights management technique. (see England col. 4, lines 30-34) Referring to claim 13,

claim 13 encompasses the same scope of the invention as that of the claim 7.

Therefore, claim 13 is rejected for the same reason and motivation as the claim 7.

Regarding claim 41, England discloses the method of claim 40 further comprising

protecting one or more of the media-specific files, media content files, metafiles, and

single downloadable file using one or more digital rights management technique. (see

England col. 4, lines 30-34) Referring to claim 41, claim 41 encompasses the same

scope of the invention as that of the claim 7. Therefore, claim 41 is rejected for the

same reason and motivation as the claim 7.

Contact Information

8.   Any inquiry concerning this communication or earlier communications

from the examiner should be directed to Kyung H Shin whose telephone number is 703-

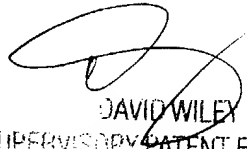305-0711. The examiner can normally be reached on 9 am - 7 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on 703-308-5221. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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